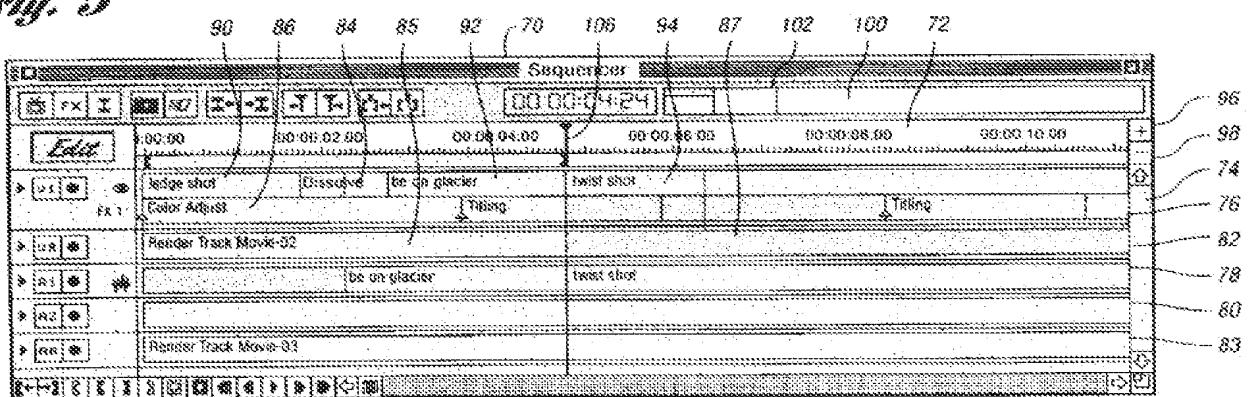


REMARKS

The present remarks are in response to the Official Action mailed August 19, 2009. Claims 1-2 and 5-12 remain pending.

The Examiner's only remaining rejection of the claims is that they are alleged to be anticipated under 35 U.S.C. § 102(b) in view of U.S. Patent No. 5,682,326 to Klingler ("Klingler"). Applicant respectfully submits that Klingler does not disclose each and every limitation of the claims, and therefore cannot anticipate as a matter of law. Applicant therefore requests that the § 102(b) rejection based on Klingler be withdrawn.

Klingler is quite different than the presently claimed invention. Klingler allows an editor to present a series of movie clips, with added effects, in a sequential manner, as shown in the sequencer window of Fig. 5 of Klingler:

Fig. 5

In Klingler, discrete movie clips like "ledge shot" 90, "be on glacier" 92, and "twist shot" 94 are arranged by the editor in a desired linear, sequential, side-by-side, time-wise sequence, with or without overlaying added effects like "color adjust" 86 and "titling" applied to each clip or portions of adjacent clips.

There is simply no superimposing of the clips in Klingler akin to superimposing shared scenes to create final superimposed

scenes as in the presently claimed invention, as shown, for example in Figs. 16A-F, where shared scenes 1 and 2 (Figs. 16A, 16B) are superimposed to create MHEG scene 2 or scene 3 (Figs 16D or 16E):

FIG. 16A FIG. 16B

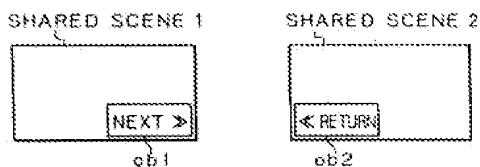
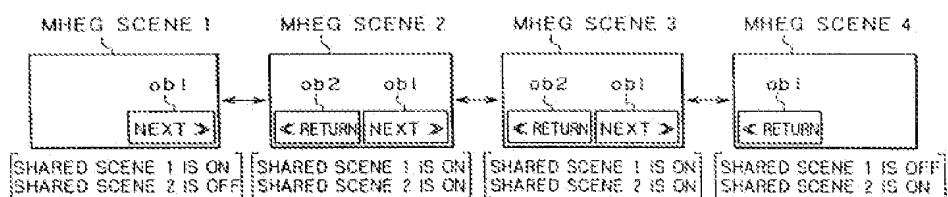


FIG. 16C FIG. 16D FIG. 16E FIG. 16F



At best, Klingler only superimposes an effect (like color adjust or titling) into or onto a scene, or across a series of adjacent scenes. What Klingler does not disclose, however, is taking a first movie clip (e.g., "ledge shot") having a first superimposed effect (e.g., color adjust 1), and superimposing that first movie clip plus its effect onto a second movie clip (e.g., "be on glacier") plus its effect (e.g., color adjust 2). If Klingler did so, the result would be a bizarre, mixed movie scene where the movie clips "ledge 1 with color adjust 1" and "be on glacier with color adjust 2" would be presented to the viewer on the screen at the same time. This would be akin to a situation where two film projectors were projecting two different films onto the same screen at the same time.

Therefore, Klingler, unlike the presently claimed invention, creates a sequential presentation of adjacent movie clips, and never superimposes (or overlays) one clip over

another clip. Thus, Klingler does not allow an editor "to create final superimposed scenes," but only movie clips that are sequentially presented. Thus, Klingler does not have "shared scenes that are superimposable to create a single, superimposed final scene."

Klingler also does not allow the editor to virtually superimpose two or more shared scenes. Rather, Klingler allows the editor to present and create a sequential listing of adjacent clips, and never superimposes or overlays one clip over another clip. Again, Because Klingler does not superimpose clips, there is no "superimposed final superimposed scenes with the shared objects from each selected shared scene," nor is there a creation of "shared object control information for forming the final superimposed scenes"

For ease of reference, a chart is provided below showing the claim elements of claim 1 and what elements are missing from Klingler:

| Claim 1 | Not Disclosed in Klingler |
|--|--|
| 1. An information processing editing apparatus for allowing an editor to create final superimposed scenes from content information according to a predetermined specification, comprising: | Klingler does not allow an editor "to create final superimposed scenes," and only movie clips are sequentially presented |
| a shared-scene creation module operable allow the editor to define shared scenes that are superimposable to create a single, superimposed final scene, | Klingler does not have "shared scenes that are superimposable to create a single, superimposed final scene." Rather, Klingler creates a sequential presentation of adjacent movie clips, and never superimposes or overlays one clip over another clip |
| the shared scenes being virtual scenes formed in accordance with an internal format and used to form the final scenes, | |
| each of the shared scenes comprising one or more shared objects that are controllable for display to create final scenes, | |

| Claim 1 | Not Disclosed in Klingler |
|---|---|
| the shared objects being separately controllable independent of the defined shared scenes in which the shared objects are displayed in accordance with the predetermined specification; | |
| a shared-scene processing module operable to enable the editor to virtually superimpose two or more shared scenes, | Klingler does not allow the editor to virtually superimpose two or more shared scenes. Rather, Klingler allows the editor to present and create a sequential listing of adjacent clips, and never superimposes or overlays one clip over another clip |
| each of the shared scenes comprising one or more of the shared objects, for creating the superimposed final superimposed scenes with the shared objects from each selected shared scene; | Because Klingler does not superimpose clips, there is no "superimposed final superimposed scenes with the shared objects from each selected shared scene" |
| an application creation module operable to describe control information in accordance with the internal format based on the shared scenes set by the editor via said shared-scenes creation and processing modules; and | |
| an output control module for converting the control information into shared object control information for forming the final superimposed scenes | Because Klingler does not superimpose clips, there is no creation of "shared object control information for forming the final superimposed scenes" |
| in which the shared objects selected by combining shared scenes are specified for display at the same time in the final superimposed scenes in accordance with the predetermined specification; | Because Klingler does not superimpose clips, there is no shared objects "specified for display at the same time in the final superimposed scenes in accordance with the predetermined specification" |
| wherein the superimposed final scenes are described by the combination of one or more shared scenes and one or more of the shared objects based on the internal format, | Because Klingler does not superimpose clips, there are no "superimposed final scenes" that "are described by the combination of one or more shared scenes and one or more of the shared objects based on the internal format" |
| and the converted control information is described based on one or more of the shared objects without the shared scenes. | |

In sum, Klingler is missing at least six elements of claim 1, and also missing corresponding elements in claims 7-12,

and the dependent claims. Thus, Applicant respectfully requests that the rejection of all claims based on Klingler be withdrawn.

As it is believed that the rejection set forth in the Official Action has been fully met, favorable reconsideration and allowance are earnestly solicited.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he telephone Applicant's attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: November 18, 2009

Respectfully submitted,
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